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IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI JACKSON DIVISION

OLIVIA Y., ET AL

PLAINTIFFS

**VERSUS** 

CIVIL ACTION NO. 3:04CV251LN

HALEY BARBOUR, as Governor of the State of Mississippi, et al.

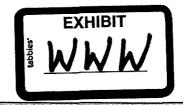
DEFENDANTS

VIDEOTAPED DEPOSITION OF CHARLES RICKIE FELDER

Taken at the law offices of Bradley, Arant, Rose & White, LLP, 188 East Capital Street Jackson, Mississippi, on Thursday, April 5, 2006, beginning at 8:37 a.m.

## REPORTED BY:

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money. You have to maximize that money. Sometimes you have to choose between the two. 3 You could be forced with that situation.

Q. How so?

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A. Again, they give you "X" amount of money, and if your retention is improving with staff and more and more are being able to take advantage of the career ladder, that is driving up your salary cost. And more funds may need to 10 be used in career ladder which could increase 11 the number of positions that are unfunded, 12 vacant positions. You asked me what could be. 13 These are just, you know, could be's.

14 Q. And as division director, as you sit 15 here today, though, you'd like to see both the 16 career ladder and additional - and vacant and additional positions funded, correct?

18 A. Yes. I'd like to see the career 19 ladder funded. Yes, I'd like to see vacancies 20 funded. And then based on the assessment from 21 Sue Steib and the weighted caseload model, 22 whatever we determine additional resources we 23 need, yes, I'd like to have it funded.

24 Q. Turning back to your draft plan at 25 Exhibit 144, on page 9, under Section 2,

Q. Have you determined whether there is any correlation between available staffing resources in any given county DFCS office and its ability to comply with policy and other requirements?

A. The first answer would be yes, there is - in some counties, there could be some correlation for that, yes.

Q. Have you considered - strike that. Are you considering any specific targeted remedial actions in any particular county DFCS office?

A. Yes.

Q. Could you tell me in what county what particular remedial actions you're considering?

A. Forrest County, we're currently negotiating a contract with the University of Southern Mississippi to - Southern is located 19 in Forrest County - to create a learning lab at 20 our office, and the university will turn it into 21 a model - will manage, assess, and develop a 22 model, a child welfare model, in Mississippi. 23 And our ultimate goal is that once that model is developed, that will be replicated throughout 24 25 the state.

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"Staffing & Staff Development."

A. Uh-huh. (Affirmative.)

Q. Do you see your first sentence there, "Having a competent, well supported work force with a reasonable workload is an absolute prerequisite for the effective delivery of services to troubled children and families"?

A. Yes, I do.

Q. Now, correct me if I'm wrong, but I 10 read that to mean that if you don't have a competent, well supported work force with a 11 reasonable workload, there is a risk that needed 12 13 services will not be delivered to troubled 14 children and families; is that correct?

A. Yes. That's the message we're 16 communicating to the legislature.

Q. As part of your assessment, did you determine whether there were any particular DFCS county offices that were performing poorly?

19 20 A. I determined some offices that needed attention. 21

Q. How did you determine that?

A. Based on the reports we discussed earlier, the results that they were getting

based on objectives. 25

1 Another area we are researching and 2 discussions with - we had to determine if it 3 was a sole source or not, which that creates a 4 more lengthy process - but a temp service for 5 social workers. They would be responsible for 6 recruiting, verifying background, possibly 7 providing the training to expedite the process, 8 to fill existing positions, and/or if somebody 9 puts in a notice to fill a position while we're 10 recruiting for a new position. 11

We are in discussions - no decision has been made - of using this same temp service to help in some areas where we have fallen behind, to do a catchup. That's just a couple 15 things off the top of my head. We're running we have run - tried national websites, haven't had much progress. We're constantly running ads in the paper. State personnel board is always posting positions for Family & Children's Services. The Family & Children's Services 20 and/or the human resource departments attend 21 fairs to try to recruit. We have new legislation this year that we think has just

passed, the governor had a press conference on

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